

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GARRETT RUMMELL, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

RED ROBIN INTERNATIONAL, INC., a  
Foreign Profit Corporation; and DOES 1-10,

Defendants.

No. 3:24-cv-05360

**DECLARATION OF PETER NOHLE IN  
SUPPORT OF DEFENDANT'S NOTICE  
OF REMOVAL OF ACTION TO THE  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
WASHINGTON PURSUANT TO 28  
U.S.C. §§ 1332, 1441, 1446, and 1453  
(CAFA)**

**(from Thurston County Superior Court,  
Case No. 24-2-01225-34)**

I, Peter Nohle, declare as follows:

1. I am an attorney with Jackson Lewis P.C., the law firm representing Defendant Red Robin International, Inc. ("Defendant" or "Red Robin") in this matter.

2. I am over the age of 18 and have personal knowledge of the facts set forth in this declaration based on my own experiences, the publicly available records and files maintained by the Superior Court of the State of Washington in and for the County of Thurston, and the files and records maintained by Jackson Lewis P.C. in the ordinary course of its business, and if called to testify, could and would competently testify thereto.

1           3.       Attached hereto as **Exhibit A** is a true and correct copy of the Class Action  
2 Complaint for Damages (the “Complaint”) for the matter of *Garrett Rummell, individually and*  
3 *on behalf of all others similarly situated, Plaintiff v. Red Robin International, Inc., a Foreign*  
4 *Profit Corporation, and Does 1-10, Defendants* (hereafter, the “Rummell Matter”), pending in  
5 the Superior Court of the State of Washington in and for Thurston County as Case No. 24-2-  
6 01225-34, which was obtained from the Clerk of the Court for the Thurston County Superior  
7 Court.

8           4.       Attached hereto as **Exhibit B** is a true and correct copy of the First Amended Class  
9 Action Complaint for Damages (the “Amended Complaint”) for the Rummell Matter, which was  
10 obtained from the Clerk of the Court for the Thurston County Superior Court.

11           5.       Attached hereto as **Exhibit C** is a true and correct copy of the Case Cover Sheet  
12 and Scheduling Questionnaire for the Rummell Matter, which was obtained from the Clerk of the  
13 Court for the Thurston County Superior Court.

14           6.       Attached hereto as **Exhibit D** is a true and correct copy of the Notice of Assignment  
15 and Notice of Trial Setting Date for the Rummell Matter, which was obtained from the Clerk of  
16 the Court for the Thurston County Superior Court.

17           7.       Attached hereto as **Exhibit E** is a true and correct copy of the Summons for the  
18 Rummell Matter, which was obtained from the Clerk of the Court for the Thurston County  
19 Superior Court.

20           8.       Attached hereto as **Exhibit F** is a true and correct copy of the First Amended  
21 Summons for the Rummell Matter, which was obtained from the Clerk of the Court for the  
22 Thurston County Superior Court.

23           9.       Attached hereto as **Exhibit G** is a true and correct copy of the Affidavit and  
24 Certificate of Service for the Rummell Matter, which was obtained from the Clerk of the Court  
25 for the Thurston County Superior Court.

26           10.      As of the date of this Declaration and the filing of the related Notice of Removal,  
27 and based on the Docket appearing on the Thurston County Superior Court Odyssey Portal, the  
28

1 only documents that have been filed with the Superior Court in the Rummell Matter are: (A) the  
2 Class Action Complaint for Damages (**Exhibit A**); (B) the First Amended Class Action  
3 Complaint (**Exhibit B**); (C) the Case Cover Sheet and Scheduling Questionnaire (**Exhibit C**);  
4 (D) the Notice of Assignment and Notice of Trial Setting Date (**Exhibit D**); (E) the Summons  
5 (**Exhibit E**); (F) the First Amended Summons (**Exhibit F**); and (G) the Affidavit and Certificate  
6 of Service (**Exhibit G**).

7 11. The Notice of Removal attendant to this Declaration is being or has been filed  
8 within thirty (30) days after Defendant was first served with a copy of Plaintiff's Summons,  
9 Amended Complaint, and Notice of Assignment and Notice of Trial Setting Date on April 12,  
10 2024. *See Exhibit G.*

11 12. A copy of this Notice of Removal and all supporting papers have been or will be  
12 served promptly on Plaintiff's counsel and filed with the Clerk of the Thurston County Superior  
13 Court.

14 I declare under penalty of perjury under the laws of the United States and the State of  
15 Washington that the foregoing is true and correct.

16 Sworn to this 10<sup>th</sup> day of May, 2024 at Seattle, Washington.

17  
18 

19 \_\_\_\_\_  
Peter H. Nohle, WSBA #35849

**DECLARATION OF SERVICE**

The undersigned declares under penalty of perjury under the laws of the United States of America that a true and accurate copy of the document to which this declaration is affixed was electronically filed with the Clerk of the Court using the CM/ECF System, and sent to the following:

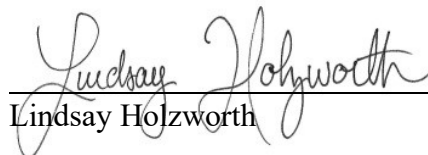
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Counsel for Plaintiff

- ☒ via CM/ECF System  
☒ via Electronic Mail  
☒ via USPS Mail  
☐ via Federal Express  
☐ via Hand-Delivery  
☐ Other: \_\_\_\_\_

DATED this 10<sup>th</sup> day of May, 2024.

  
Lindsay Holzworth